

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0026-19

**DATE:** January 29, 2019

**TITLE OF RESOLUTION:** AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE ,NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; CONFIRMING THE APPOINTMENT OF DR. PERPHELIA FOWLER AS THE EXECUTIVE DIRECTOR OF THE DIVISION OF HUMAN RESOURCES

**PURPOSE:** The purpose of this legislation is to confirm the appointment of Perphelia Fowler as Executive Director of the Division of Human Resources.

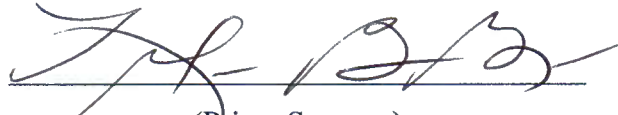
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 221388  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 2/13/19  
Eligible for Action: 2/14/19

Health, Education & Human Services Committee  
Thence  
Naabik'iyáti' Committee  
Thence  
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
24<sup>TH</sup> NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

  
(Prime Sponsor)

TRACKING NO. 0026-19

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE,  
NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL;  
CONFIRMING THE APPOINTMENT OF DR. PERPHELIA FOWLER AS THE  
EXECUTIVE DIRECTOR OF THE DIVISION OF HUMAN RESOURCES

**SECTION ONE. AUTHORITY**

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Naa'bik'íyáti' Committee is a standing committee of the Navajo Nation Council. The Committee reviews all legislation requiring final action by the Navajo Nation Council. 2 N.N.C. §§ 164 (A)(9), 700 (A) (2012). *See also* CO-45-12.
- C. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 400(A). The Committee exercises oversight authority over the Division of Human Resources. 2 N.N.C. § 401(C)(1).

**SECTION TWO. FINDINGS**

- A. The Executive Director of the Division of Human Resources shall be appointed by and serve at the pleasure of the President of the Navajo Nation and confirmed by the Navajo Nation Council. 2 N.N.C. §1703(A)(2).

1 B. The establishment of the Division of Human Resources and the duties of the  
2 Executive Director are outlined at 2 N.N.C. § 1701 *et seq.*

3 C. The Navajo Nation President appointed Dr. Perphelia Fowler as the Executive  
4 Director of the Navajo Division of Human Resources. Dr. Perphelia Fowler's  
5 appointment letter and résumé are attached as **Exhibits A** and **B**, respectively.  
6

7 **SECTION THREE. Approving the Confirmation of the Executive Director of the**  
8 **Division of Human Resources**

9 The Navajo Nation Council hereby confirms the appointment of Dr. Perphelia Fowler  
10 as the Executive Director of the Division of Human Resources.  
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# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT   MYRON LIZER | VICE PRESIDENT



January 15, 2019

Dr. Perphelia Fowler

**RE: Appointment as Executive Director for the Navajo Nation Division of Human Resources**

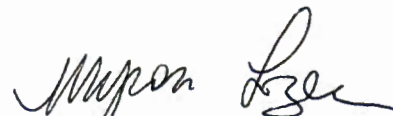
Dear Dr. Fowler,

The Nez-Lizer Administration was elected on a mandate of change for the Navajo Nation. This change involves appointing qualified, motivated and experienced individuals who will move the Navajo Nation forward by "Working Together" to serve the Navajo people. This letter shall serve as a formal notification to your appointment as Executive Director for the Navajo Nation Division of Human Resources (NNDHR). This appointment will take effect on January 28, 2019 at 8:00AM. Please note that this position is subject to confirmation by the Navajo Nation Council.

Your duties as director are outlined at 2NNC §1703. You shall be responsible for the administration and management of the Division of Human Resources and supervision of all applicable personnel. This includes ensuring compliance with all applicable Navajo Nation laws and policies.

Your salary will be that of the current budgeted salary for the position. Throughout this appointment, you will report to the Chief of Staff under the Office of the President and Vice President. Again, we thank you for your willingness to serve the Navajo people. Ahe'hee.

  
Jonathan Nez, President  
THE NAVAJO NATION

  
Myron Lizer, Vice President  
THE NAVAJO NATION



**Curriculum Vitae**  
Perphelia Fowler, EdD

Email:

**Education:**

Doctorate Degree in Educational Leadership for Change  
October 2016  
Fielding Graduate University, Santa Barbara, California

Master's Degree in Human Resources-Business Administration graduated  
November 2006  
American Inter-Continental University-Online in Hoffman Estates, IL.

Bachelor's Degree in Human Resources-Business Administration  
graduated December 2005.  
American Inter-Continental University-Online in Hoffman Estates, IL.

Degree: Associates of Arts in Human Resource-Business Administration -  
Graduated in November 2004.  
American Inter-Continental University-Online in Hoffman Estates, IL.

**Work History:**

11/2016 - Current

Navajo Technical University: Human Resource Director  
I currently manage and coordinate the university Human Resource functions by ensuring excellent customer service with all internal and external customers. I prepare reports, establishes, directs and evaluate processes in hiring, staffing and recruitment. I coordinate annual employee appraisal program, reviews of all employee benefit programs and monitors job contracts and maintain employee exit program with department supervisors. I ensure and maintain compliance with all tribal, federal and state labor laws/regulations and institutional HR policies, guidelines, and system protocols. I facilitate and implement HR goals and objectives in accordance with university mission and goals and operational requirements. I provide consultation and professional support to senior administration in collaboration on organization planning and development studies; strategic planning and management skills coaching. I supervise department personnel and often take the lead role on employee discipline, counseling, performance appraisal, problem resolution, and corrective action planning. Serve as the Chairperson for the Housing, Employee Handbook, and Professional Development Plan Committee

08/2015 – 06/2016

Red Mesa Unified School District: Human Resource Director



As the Human Resource Director, I was in charge of the Human Resource functions by planning, organizing and orientating personnel on the district's policies and procedures. Responsible in recruiting certified teachers for K-12 grade and classified personnel, training personnel on organizational development, collaboratively work with building principals and implement department's goals and objectives. I was overseeing the employee benefits and was able to analyze school district's compensation, including salaries, workers compensation, housing benefits, and all areas related to Business and Finance.

- 05/2012 – 07/2015     Diné College: Human Resource Director. Plan, organize and direct activities and staff of Human Resources Department, including recruitment and selection, classification and compensation, employee benefits, environmental, health and safety, organizational development and training, payroll rate processing, labor relations, affirmative action, and risk management. Work involves the application of professional knowledge and personal judgment to a variety of technical personnel and managerial problems and issues. Collaboratively work with unit supervisors, academic chairs, academic dean, and vice presidents to implement policies related to academic credentialing, professional development, staffing needs, contracts, and related personnel processes and procedures. Provide and maintain faculty and staff professional development. Conducts internal investigations and resolves disputes; responds to Office of Navajo Nation Relations (ONLR) and Navajo Nation Labor Commission (NNLC) complaints. Maintain compliance with applicable tribal, state and federal laws. Manage the development and implementation of Human Resources department, goals, objectives, policies and priorities for each function. Directs and coordinates the Human Resources Department's work plan; assigned projects and programmatic responsibilities; reviewed and evaluated work methods and procedures; Maintains department budget. Assist with salary survey within labor markets to determine competitive wage rates. Responsible for personnel record transactions on hiring, promotions, transfers, performance reviews, demotions, and terminations. Explains Human Resources department programs, policies, and activities; negotiates and resolves sensitive and controversial issues. Oversees employee benefit program and analyzes existing benefit policies of organization and prevailing practices among similar organizations to establish competitive benefits programs. Researches, plans and recommends modification of existing benefits programs. Served as the Committee Chairperson for Administration, Housing, Leadership Council, Facility Usage Request, Emergency Response, and Jeanne Clery Act Committee
- 01/2012 – 05/2012     Arizona State University and Dine College  
 Elementary Teacher Mentoring Program for the Arizona Educators Proficiency Assessments (AEPA) teaching certification.

Mentoring and preparing teacher candidates on Writing for the teacher AEPA Certification in Elementary Education. Meet with students twice a week and update adjunct faculty.

Navajo Traffic Survival DWI/DUI School Instructor and Floral arranger for Tsaile community

07/2007 – 01/2012

Morgan and Associates Consulting Firm: Navajo Health Foundation/Sage Memorial Hospital: Employed as a Human Resources Director, Acting Chief Executive Officer/On-site Administrator, Operational Director and Philanthropy Director in the healthcare field.

As the Human Resource Director, oversees over 298 fulltime employees within the 31 departments. As a Director I am responsible in having my staff provide quality healthcare services in a fiscally responsible manner, focusing on patient's physical, social and spiritual well being. Responsible for all new hires and termination of employees within the healthcare, conduct employee screening, background checks in local, state and federal law enforcement, fingerprinting, having the HR staff maintain all personnel files in accordance with Federal, State and Tribal Laws, Revise the company's employee policies and procedures, coordinate nursing recruitment, conduct employee orientation, Analyze wages, salary, and data reports to determine competitive compensation plan and assist department supervisors with disciplinary and grievance procedures for employees, assists with the plan of corrections and maintain employee contracts. Enrolled eligible employees in appropriate benefit plan available by the organization. Revise Personnel Policies and Procedures on an annual basis. As the Human Resource Director, I also oversee multiple departments per the organizational chart: Human Resources, Employee Health, Employee Housing, Wellness Center, Child Care Center, SMH Library, Philanthropy and Educational.

As the Acting Chief Executive Officer/On-site Administrator, I administer and direct the daily operation. Closely interact with the Board of Directors, Management Leadership Team, Medical Staff and other medical personnel in the absence of the Chief Executive Officer. The Board of Directors consists of eight (8) members that represent local chapters within the service area and they are: Ganado, Nazlini, Kinlichee, Wide Ruins, Klagetoh, Cornfields, Greasewood, and Steamboat Chapters. I develop and recommend policies and procedures for various work areas. I demonstrate an extensive knowledge in positive relationship and understanding with Medical staff and community. Provide guidance in quality healthcare improvement with high ethical standards. Implement quality healthcare services in a fiscally responsible manner by focusing on the patient's physical, social, and spiritual well-being. I work closely with finance and other program managers for preparation and control of

operating budget, maintain compliance with regulatory tribal, federal, and state reporting requirements, assists with preparing and coordinating the plan for capital investment for medical facility in accordance with demonstrated capacity to raise capital funds, and assists with reviewing financial activity reports and statements to determine progress and status of facility. I also perform other related administrative supervisory duties to ensure efficient operation of the Service Area and Satellite clinic.

As the Operational Director, administered and direct overall operations within the healthcare facilities in accordance with the Federal, State, JCAHO, and tribal policies and procedures. Supervised the organization through the leadership team and provide general direction to maintain compliance in the healthcare operation. Created an effective development team to maintain compliance of healthcare, Developed and coordinate all renovations within the healthcare facility. Coordinate department monthly meetings on Strategic Planning on meeting goals and objectives to provide quality patient care. Recommends and develops policies and procedures in for various department service areas, Assist with the RFP review on legal services, Perform related administrative and supervisory duties to insure efficient operation of the Service Area and the satellite clinics in Wide Ruins and Greasewood area.

As the Philanthropy Director, managed and maintained the organization's trust funds and work closely with the Finance department. I plan and manage a diversified professional philanthropy program, which includes an ongoing Annual Campaign and ongoing Planned Giving Program and Special Events. I evaluate and deposit all incoming trust funds donated by the trustee(s), identify the organization's needs, and prioritize the philanthropy initiatives, which will benefit the Navajo Health Foundation/Sage Memorial Hospital, and manage all incoming Scholarship Applications and outgoing funds.

2006 - 2007

APMLP, LLC (Antelope Point Marina Lake Powell): Accounting/Human Resource Specialist. Responsible for all new and re-hire procedures, accumulated and screened potential candidates for vacant positions, maintained employee files in accordance with Federal, State and Navajo Tribal Employment Law, provided guidance for company management on matters of hiring/termination, enforced company policies and procedures and orientated staff on company protocols. Coordinated recruitment and scheduled interviews in conjunction with the interview committee. Maintained, prepared and monitored the employees' personnel files (performance evaluation, licensure training certificates, promotions, resignations, terminations and insurance enrollments) for compliance with company policy and conducts employee's employment reference and background/fingerprint checks, Planned and coordinated new employee orientation to foster positive attitude toward corporate goal, Submitted



purchase requisition to obtain purchase orders, Assisted department managers in keeping job descriptions up-to-date, Developed procedures and provided guidance on employee trainings (First Aid/CPR, Safety, Sexual Harassment and Employee Hand Book). Enrolled eligible employees in appropriate benefit plan available by the company. Familiar with the following benefit programs (Blue Cross Blue Shield, Humana Dental, Aetna, MetLife, Principal Financial, Basic Cobra, and Workmen's Compensation). Investigated accidents, prepared reports for Workmen's Compensation Insurance and submitted in a timely manner, analyzed wages, salary, and data reports to determine competitive compensation plan and participated in employee negotiation process. Assist department managers in all personnel matters by drafting or reviewing outgoing letters to reduce absenteeism, discipline, suspensions, and/or terminations, interpret existing personnel policies and procedures to employees and made several recommendations on implementing changes of company policies and procedures, and counseled employees and managers to resolve complaints and/or conflicts within the organization.

- |            |                                                                                                                                                                                                                                                                                                                                                                     |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2004- 2006 | Chinle Unified School District - Office of Federal Programs and Curriculum Center Secretary/Administrative Assistant<br>Conducted Clerical and Administrative duties for the overall school district                                                                                                                                                                |
| 2003-2004  | Chinle Unified School District - Chinle High School, 21 <sup>st</sup> Century Community Learning Center School Site Coordinator and English Teacher:<br>Coordinated learning enrichment activities for high school students and taught High School English I. Assisted counselors in disciplinary actions on students and orientating teachers of student's rights. |
| 2000-2003  | Lukachukai Community School, English Teacher<br>Taught Jr. High English/Acting Principal/Boys Basketball Coach<br>Counseled students on behavior and conduct that lead to disciplinary measures. Orientate staff on the importance of disciplinary procedures.                                                                                                      |
| 1998-2000  | Fort Defiance Indian Hospital<br>General Service Personal Service Contract Employee<br>Administrative Assistant to General Service Department<br>Government Service Administration/Housing Liaison Officer                                                                                                                                                          |
| 1996-1998  | Rough Rock High School. Teacher<br>Taught High School English and Literature<br>Athletic Director/High School JV/V Boys Basketball Coach                                                                                                                                                                                                                            |
| 1994-1996  | Red Mesa High School, Teacher                                                                                                                                                                                                                                                                                                                                       |

Taught Remedial English/Varsity Girls Volleyball Coach and Boys Basketball Coach

Summer 94-98 Fort Defiance Indian Health Services, Secretary, Housing Officer, & Records Management Liaison. Attended and conducted numerous meetings and trainings for salaried managers and clerks.

**Honors:** Graduate with high honors  
Cum Laude Honor  
Athletic Director of the Year for 2A North Region  
2A North Region High School Boys Basketball Coach of the Year  
Employee of the month with Fort Defiance Hospital  
Outstanding Director of the Year with NHF/SMH  
VIP Member on Cambridge Who's Who Among Professional Women  
Human Resource Profession  
SHRM Member  
ACHE Certified Member  
NAHARA Board Member

**Presentations:** High School Athletic Sports Banquet Guest Speaker  
High School National Honor Society Guest Speaker  
Middle School Parent Recognition Guest Speaker  
Staff Appreciation Dinner Honorable Guest Speaker  
Secondary School Transportation Department Guest Speaker  
Veterans Recognition Guest Speaker  
Substance Abuse Prevention Guest Speaker  
Child Abuse Prevention Guest Speaker  
Employee Motivation Seminar Guest Speaker  
Annual Employee Recognition Guest Speaker  
Student Achievement Awards Guest Speaker  
Annual Personnel Policies and Procedures Public Forum  
Speaker/Presenter with Employing Tribal Members Speaker and Panelist  
Parent Conference Guest Speaker  
Human Resource Conference Keynote Speaker

**Certification:** Bilingual in Navajo and English language, Organized and Dependable  
Provisional Adult Teaching Certification  
Child Care Center Educational Curriculum  
CPR/First Aid Training  
Roberts Rule  
Assessing HR Policies and Practices Compliance with Tribal, State, and Federal  
FEMA Emergency Management Certification (100, 200, 300, 700, 800)  
MSDS Training Certification  
Navajo Medical Terminology

### Structured English Immersion

**Membership:** AASBO Grant Management Business Official  
Arizona Notary Public  
Arizona Employment Laws  
Joint Commission/CMS  
Arizona National Employment Labor Law  
NIMS National Incident Management System  
Incident Commander & Public Information Officer  
Office of Navajo Labor Relations  
NM/AZ Court Interpretation in Navajo Language  
Arizona State University Mentor  
Arizona DWI/DUI Training  
SHRM Member  
NAHRA Member  
Arizona Defensive Driving Instructor  
Higher Learning Commission

### Certified Trainer in the following:

- Navajo Culture Awareness
- Dealing with At-Risk Students 7-12<sup>th</sup> grade
- Employee Orientation
- Violence in the Workplace
- Sexual Harassment
- Supervisors Leadership Skills
- Custodial Trainer
- Administrative Assistant Trainer
- Customer Services I and II
- Employee Disciplinary Actions
- Motivation Techniques
- Effective Hiring and Interviewing Techniques
- Termination – Keeping It Legal
- Phone and Email Etiquette
- Arizona Traffic Survival & DWI/DUI
- Personal Financial and Time Management

### References:

Theresa White  
Financial Officer

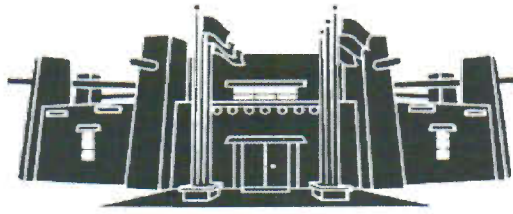
Page, Arizona 86040

Alcindor Tsosie  
Graphic Designer

Chinle, Arizona 86503

Charity Askie  
Chief Financial Officer

Town, ND 58763



## MEMORANDUM

TO: Honorable Nelson BeGaye  
24th Navajo Nation Council Delegate

FROM:   
Candace French, Attorney  
Office of Legislative Counsel

DATE: January 29, 2019

RE: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; CONFIRMING THE APPOINTMENT OF DR. PERPHELIA FOWLER AS THE EXECUTIVE DIRECTOR OF THE DIVISION OF HUMAN RESOURCES

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law, the resolution drafted is legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601, and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration. 2 N.N.C. § 164(A)(5).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.